

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

October 3, 2003

Committee
Report No. 03-111

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on September 15, 2003, makes reference to the following:

1. County Communication No. 03-112, from the Director of Finance, transmitting three reports on settlement of claims as of March 31, 2003; and
2. County Communication No. 03-209, from the Director of Finance, transmitting two reports on settlement of claims as of June 30, 2003.

The purpose of the reports on settlement of claims is to advise your Committee of the claims paid by the County from its Claims, Settlements & Judgments account and from its Self-Insurance account. Your Committee noted that the reports are submitted to the Council pursuant to Subsection 3.16.020(C) of the Maui County Code, which provides that, "The director of finance shall file with the council a quarterly report of all settlements and claims."

At its meeting, your Committee met with the Director of Finance; the Risk Manager, Department of Finance; and the First Deputy Corporation Counsel.

There being no public testimony, the Risk Manager gave a brief overview of the contents of the reports.

The First Deputy Corporation Counsel informed your Committee that the summary information contained in the reports is public record, and that the majority of cases referenced in the reports have been settled.

Your Committee proceeded to discuss the reports, including the background history of certain cases and the rationale supporting various expenses and fees.

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With respect to payments and a credit relating to lawsuits brought by Maalaea Kai Enterprises, Incorporated, Civil Nos. 98-0630(3) and 99-0132(3), your Committee requested information concerning the nature and extent of the alleged damages to the boats, as well as whether any claims for indemnification were made by the County and factored into the settlement.

Your Committee voted to recommend that the communications be filed.

Your Committee of the Whole RECOMMENDS the following:

1. That County Communication No. 03-112 be FILED; and
2. That County Communication No. 03-209 be FILED.

Adoption of this report is respectfully requested.

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